

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

Bella Havel Benotmad  
Petitioner

VS

Joseph F. McDonough  
- Sheriff of Plymouth County  
Department of Homeland Security  
Respondent

MAGISTRATE JUDGE

Dein

2004 JAN -8 A 11:09

DISTRICT COURT  
DISTRICT OF MASS.

FILED  
CLERK'S OFFICE  
COUNT \$ 5  
SUMMONS ISSUED ☒  
LOCAL RULE 4.1 ☒  
WAIVER FORM ☒  
MCF ISSUED ☒  
1/9/04 F.O.M.

Application for federal writ of habeas corpus  
under 28 U.S.C. 2241

- I am presently confined at the plymouth county Correctional facility
- The basis of my petition is about continued detention by the department of Homeland Security.
- The DHS does not have authority to detain me indefinitely, this my detention is unlawful.

This is because my removal cannot be completed in the near future. Zadvydas vs Davis 533 U.S. 678 (2001)

(i) I was order deported November 04, 2002, I have given the DHS all the information they need in order to get my travel documents. Place of birth, date of birth year I enter into the US finger and photos.

(i) I have requested to speak to my consulate all in vain.

- My detention is in violation of my rights

(i) After three months from the date of my final Order, I receive a letter stating that my detention will be continued.

- I exhausted my administrative remedies by requesting for release from my deportation officer in Boston and the headquarters in Washington and thus my last option is this judicial action.

- I also believe that my detention is unlawful according to 8 C.F.R. 2414.
- I do have a guardian who is willing to support me until I get back on my feet upon release.
- I will avail myself to the D.H.S anytime expected until my removal is imminent. I am willing to abide with all the conditions imposed on me upon release.

I declare under penalty and perjury that the foregoing is true and correct.

Date: 12-15-2003

Signature:

